

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA

v.

**JORDIN ALEXANDER MELGAR
SALMERON,
a/k/a Jordin Melgar, a/k/a René Cruz,
a/k/a José Cruz**

Criminal No. 3:21-mj-09

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Jeffrey A. Bentley, being duly sworn, depose and state as follows:

INTRODUCTION

1. I am a Deportation Officer with Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) division. I am a graduate of the Federal Law Enforcement Training Center (“FLETC”) and I have received specialized training in establishing alienage and removability of foreign-born citizens. I also have extensive knowledge of, and experience reviewing, Alien files (“A-files”) which also facilitates my determination of whether a person is present in the United States unlawfully. An A-file is a collection of documents pertaining to a known alien maintained by Citizenship and Immigration Services, which contains, among other information, records from any prior removal from the United States and the reason for such removal. The documents, including fingerprint records of the alien, are placed in the A-file by representatives of the Department of Homeland Security as well as other agencies. Through my training and experience, my duties include identifying aliens present in the United States both lawfully and unlawfully.

2. This affidavit is submitted in support of a criminal complaint and arrest warrant charging the above-named defendant with violating 8 U.S.C § 1326(a), in that, on or about January 24, 2021, the above-named defendant was found in the United States, specifically in Orange, Virginia, which is located in the Western District of Virginia, without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States, after having been denied admission, excluded, deported, or removed from the United States.

3. This affidavit is based on information obtained by me, information conveyed to me by other law enforcement officers, and a review of evidence, records, and documents obtained during the course of the investigation. This affidavit contains the information necessary to establish probable cause but does not include each and every fact known to me or known to the government.

4. On January 24, 2021, law enforcement officers authorized to enforce Title 8 of the United States Code, received a biometric match based on the defendant's fingerprints submitted during his booking into Central Virginia Regional Jail in Orange, VA. He had been arrested for driving under the influence and possessing a sawed-off shotgun.

5. ICE ERO officers reviewed the defendant's fingerprints in ICE databases, which confirmed a match to **JORDIN ALEXANDER MELGAR SALMERON**, a native and citizen of El Salvador, and not a citizen of the United States, who (according to ICE databases) has been deported from the United States on or about: July 16, 2012.

CONCLUSION

Based upon the foregoing, I submit there is probable cause to conclude that on or about January 24, 2021, the above-named defendant, an alien, was found in the United States, at a location within the Western District of Virginia, after having been denied admission, excluded, deported, or removed from the United States and having not obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of 8 U.S.C. § 1326(a).

OATH

The information in this affidavit is true to the best of my knowledge and belief.

Respectfully submitted,

s/ Jeffrey A. Bentley
Jeffrey A. Bentley
Deportation Officer
Immigration and Customs Enforcement

Received by reliable electronic means and sworn and attested to by telephone
on this 8th day of February 2021.



JOEL C. HOPPE
UNITED STATES MAGISTRATE JUDGE